

RPC MEETING DATE
June 4, 2008

AGENDA ITEM NUMBER
9 a, b

REGIONAL PLANNING COMMISSION TRANSMITTAL CHECKLIST

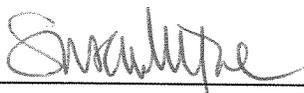
PROJECT NUMBER: PM 065940

CASE NUMBER: TENTATIVE VESTING PARCEL MAP 065940-(5)
CSD MODIFICATION 2008-00001-(5)

CONTACT PERSON: Alejandrina C. Baldwin

- FACTUAL
- THOMAS BROTHERS MAP (Identifying Subject Property)
- GIS-NET MAPS
- STAFF REPORT
- DRAFT FINDINGS FOR APPROVAL
- DRAFT CONDITIONS
- BURDEN OF PROOF STATEMENT
- BURDEN OF PROOF PHOTO EXHIBIT
- ENVIRONMENTAL DOCUMENTATION
- PHOTOGRAPHS
- CORRESPONDENCE
- LAND USE RADIUS MAP
- TENTATIVE PARCEL MAP DATED JULY 11, 2007
- EXHIBIT MAP DATED JULY 11, 2007

Reviewed By: _____





Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6433

PROJECT NO. PM065940
VESTING TENTATIVE PARCEL MAP NO. 065940
CSD MODIFICATION CASE NO. 2008-00001-(5)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM(S)	
9 a, b	
PUBLIC HEARING DATE	
June 4, 2008	

APPLICANT David K. Phung	OWNERS David K. Phung, Dathleen S. Phung, Erik Sabando, and Maria Patricia Abordo	REPRESENTATIVE Caliland Engineering Inc.
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REQUEST

Vesting Tentative Parcel Map No. 065940- To create one multi-family lot with one condominium conversion (Unit 1) and one new detached condominium (Unit 2) for a total of two condominium units on 0.34 gross acres (0.23 net acres).
 CSD Modification Case No. 2008-00001-(5)- To modify the East Pasadena-San Gabriel Community Standards District ("CSD") to allow the condominium conversion (Unit 1) to continue an existing encroachment of six inches into the required side yard setback.

LOCATION/ADDRESS 6361 Lemon Avenue, San Gabriel		ZONED DISTRICT East San Gabriel	
ACCESS Lemon Avenue, 30 foot street, onto an 18 foot private driveway and firelane.		COMMUNITY East Pasadena-East San Gabriel	
SIZE 0.34 gross acres (0.23 net acres)		EXISTING LAND USE Single family residence	EXISTING ZONING R-1 (Single Family Residence-5,000 Square Feet Minimum Required Lot Area).
		SHAPE Rectangular	TOPOGRAPHY Level

SURROUNDING LAND USES & ZONING

North: Single family residences/R-1	East: Single family residences/R-1
South: Single family residences/R-1	West: Single family residences/R-1

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide General Plan	1 (Low Density Residential – 1 to 6 Units Per Acre)	2 DU	Yes

ENVIRONMENTAL STATUS

Class 15 Categorical Exemption.

DESCRIPTION OF SITE PLAN

The vesting tentative parcel and exhibit map dated July 11, 2007 depict one multi-family lot with one condominium conversion (Unit 1) and one new detached condominium (Unit 2) on 0.34 gross acres (0.23 net acres), for a total of two detached condominium units on the lot. The existing single family residence (condominium conversion Unit 1) encroaches six inches into the required side yard setback. Additions to the front and rear of Unit 1 meet the required yard setbacks and East Pasadena-San Gabriel CSD regulations. New condominium (Unit 2), as well, the meets CSD regulations. Access will be provided from Lemon Street, a 60 foot street, onto a 18 foot wide private driveway and firelane. Grading consists of 10 cubic yards of cut and 48 cubic yards of fill, for a total of 58 cubic yards of earthwork.

KEY ISSUES

- The property is within the East Pasadena-San Gabriel CSD which requires specific setbacks, height maximums, front yard landscaping, maximum grade, maximum stories, maximum floor area, lot coverage, and parking.
- The existing single family residence will be converted into a detached condominium (Unit 1) and an additional detached condominium (Unit 2) will be constructed.
- The existing single family residence (condominium conversion Unit 1) currently encroaches six inches into the required north side yard setback and requires a CSD Modification to the East Pasadena-San Gabriel CSD to continue the existing encroachment.
- Prior to purchase of property by current property owners, a structure depicted on the Vesting Tentative Parcel Map and Exhibit Map as a garage was constructed and demolished without permits.
- The first five feet of the subject property are required as street dedication.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS*	PETITIONS	LETTERS
(O) (F)	(O) (F)	(O) (F)

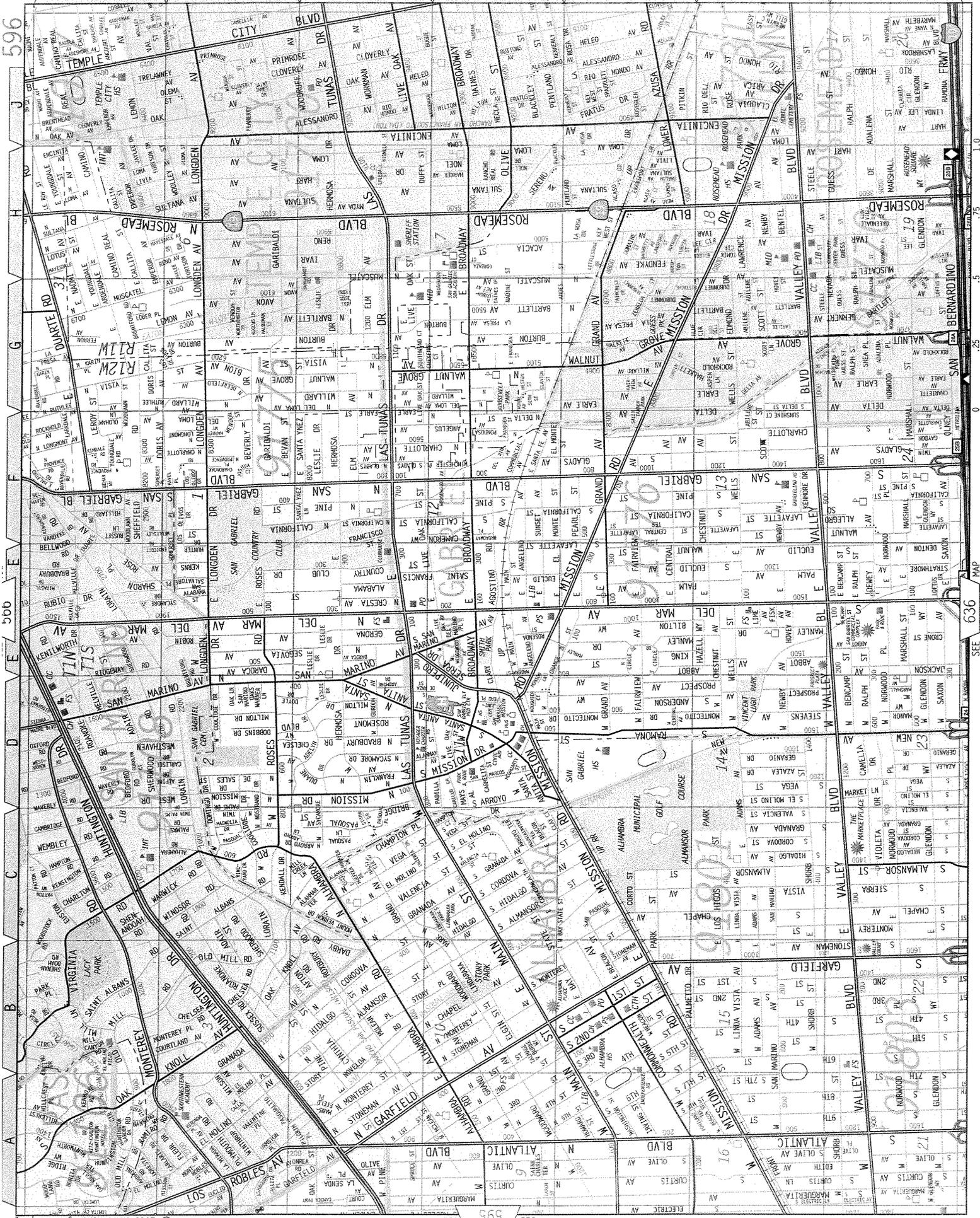
COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

- APPROVAL DENIAL
- No improvements ___ 20 Acre Lots ___ 10 Acre Lots ___ 2½ Acre Lots ___ Sect 191.2
- Street improvements _X_ Paving _X_ Curbs and Gutters _X_ Street Lights
- _X_ Street Trees ___ Inverted Shoulder _X_ Sidewalks ___ Off Site Paving
- Water Mains and Hydrants
- Drainage Facilities
- Sewer Septic Tanks Other: Underground service and utility lines
- Park Dedication "In-Lieu Fee" Multiuse Trails Offsite Improvements

ISSUES AND ANALYSIS

Recommend one additional tree for multi-family development.

596



1 in. = 2400 ft.

SEE 636 MAP

**VESTING TENTATIVE PARCEL MAP NO. 065940
CSD MODIFICATION CASE NO. 2008-00001-(5)
JUNE 4, 2008 REGIONAL PLANNING COMMISSION PUBLIC HEARING
STAFF ANALYSIS**

PROJECT OVERVIEW

The applicant, David K. Phung, proposes to create one multi-family lot with one condominium conversion (Unit 1) and new additional detached condominium (Unit 2) for a total of two condominium units on 0.34 gross acres (0.23 net acres). The proposal requires approval of Vesting Tentative Parcel Map No. 065940 ("PM 065940") for the subdivision as well as approval of CSD Modification Permit Case No. 2008-00001-(5) to modify the East Pasadena-San Gabriel CSD to allow the condominium conversion (Unit 1) to continue an existing encroachment of six inches into the required north side yard setback.

The subject property is located at 6361 Lemon Avenue, in the East San Gabriel Zoned District. Access will be provided by Lemon Street, a 60 foot wide street, onto a private driveway and firelane. No grading is proposed. Each condominium unit will have two covered parking spaces.

The project was assessed with a Class 15 Categorical Exemption as it meets the criteria set forth in the State and County of Los Angeles Environmental Document Reporting Procedures and Guidelines.

Project issues include:

- The condominium conversion requires written notification of intention to convert at least 60 days prior to filling of the tentative map.
- The existing single family residence (condominium conversion Unit 1) currently encroaches six inches into the required north side yard setback and requires a CSD Modification to the East Pasadena-San Gabriel CSD to continue the existing encroachment.
- Condominium conversion (Unit 1) does not have covered parking and was built prior to covered parking requirements were adopted.

DESCRIPTION OF PROJECT PROPERTY

Location: The subject property is located at 6361 Lemon Avenue, within the East Pasadena-San Gabriel Community CSD and the East Pasadena Zoned District of Los Angeles County.

Physical Features: The subject property is approximately 0.34 gross acres (0.23 net acres) in size. It is rectangular in shape with level topography. The existing single -family residence will be converted to into a detached condominium (Unit 1).

Access: Access will be provided from Lemon Avenue, a 60 foot wide street public street, onto an 18 foot wide private driveway and firelane.

Services: Domestic water will be supplied by the Slope Water Company, a public water system. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the Los Angeles County Sanitation District No. 8.

ENTITLEMENTS REQUESTED

Vesting Tentative Parcel Map No 065940: The subdivision request is to create one multi-family lot with one condominium conversion (Unit 1) and one new detached condominium (Unit 2) for a total of two condominium units on 0.34 gross acres (0.23 net acres).

CSD Modification Case No. 2008-00001-(5): To modify the East Pasadena-San Gabriel CSD to allow the condominium conversion (Unit 1) to continue an existing six inch encroachment of six inches into the required side yard setback.

EXISTING ZONING

The project site is zoned R-1 (Single Family Residence-5,000 Square Feet Minimum Required Lot Area). Surrounding zoning is as follows:

North: R-1;

East: R-1;

South: R-1; and

West: R-1.

EXISTING LAND USES

A single family residence is currently on the subject property and will be converted into a detached condominium (Unit 1). Surrounding land uses are as follows:

North: Single-family residences;

East: Single-family residences;

South: Single-family residences; and

West: Single-family residences.

PREVIOUS CASE/ZONING HISTORY

The current R-1 zoning on the subject property became effective on September 9, 1927, following the adoption of Ordinance Number 1813 which established the South Santa Anita District and amended Ordinance 1494.

The East Pasadena-East San Gabriel CSD became effective August 23, 2002. The proposed development is subject to all applicable provisions in the CSD.

PROJECT DESCRIPTION

Vesting Tentative Parcel Map No.065940 and Exhibit Map dated July 11, 2007, depict one multi-family lot with one condominium conversion (Unit 1) and one new detached condominium (Unit 2) for a total of two detached condominiums on 0.34 gross acres (0.23 net acres).

Unit 1 is currently 953 square feet and will have a 253 square foot addition to the front and a 630.5 square foot addition to the rear of the structure, consisting of living area and a two-car garage. Existing height of the unit is 13.5 feet. A 25-foot front yard setback is provided by the existing structure with proposed additions. The existing structure provides a 5.5 foot north side yard setback which encroaches six inches into the required side setback. Proposed additions provide a six foot north side yard setback meet the required setback. A 18 foot south side yard setback is provided.

Unit 2 is proposed at 105 feet back from the front property line and is detached. A 27 foot separation is provided from Unit 1. A six foot setback is provided on the north and south side yard. A 70 foot rear yard setback is provided.

The rear 70 feet of the lot are part of an easement belonging to the Los Angeles County Flood Control District; and no structures exist or are proposed within this area.

Access will be provided from Lemon Street, a 60 foot street, onto a 18 foot private driveway and firelane. An additional open guest parking space will be provided in between Unit 1 and Unit 2. Grading consists of 10 cubic yards of cut and 48 cubic yards of fill, for a total of 58 cubic yards of earthwork. No oak trees are depicted on the map.

GENERAL PLAN CONSISTENCY

The subject property is located within the Low Density Residential Category 1 of the Los Angeles Countywide General Plan ("General Plan") which allows a maximum of one to six dwelling units per gross acre. This would allow a maximum of two dwelling units on the subject property.

Applicable Plan Provisions

The following are excerpts of applicable Countywide General Plan policies and provisions:

Land Use Element:

Policy 1: Concentrate well designed high density housing in adjacent to centers to provide convenient access to jobs and services without sacrificing livability or environmental quality.

Policy 7: Assure that new development is compatible with the natural and manmade environment by implementing appropriate location controls and high quality design standards.

Policy 24: Promote compatible land use arrangements that reduce reliance on the private automobile in order to minimize related social, economic and environmental costs.

Housing Element

Policy 3: Provide for new urban residential development principally in those areas that are in close proximity to existing community services and facilities.

Policy 5: Encourage the maintenance of the existing sound housing stock.

EAST PASADENA-SAN GABRIEL COMMUNITY STANDARDS DISTRICT

The subject property is located within the boundaries of the East Pasadena-San Gabriel CSD of the Los Angeles County Code ("County Code"), effective August 23, 2002. The proposed development is subject to all applicable provisions in the CSD and is consistent with the required Zone-Specific Development Standards of Section 22.44.135.D.2 as follows:

Unit 1

Setbacks- Unit 1 is in compliance with all applicable setbacks as follow; a six foot side yard setback (except as requested through the CSD modification for the existing portion of Unit 1 on the north side), 25 foot rear yard setback and the average depth of front yards on the same side of the street on the same block, which is 23.82 feet and 25 feet are provided.

Height- The maximum permitted height within the R-1 zone for a lot less than 13,000 square feet is 30 feet. Unit 1 is a total height of 13.5 feet in height.

Landscaping- A minimum of 50 percent of the required front yard must contain softscaped and a total of 70 percent of the required front yard is proposed is softscaped.

Maximum Lot Coverage- A maximum floor area and lot coverage permitted is 25 percent of the net lot plus 1,000 square feet, for a total of 3,504.7 square feet (35 percent). Unit 1 is proposed at a 1,836.5 square foot total. The floor area square footage for both Unit 1 and Unit 2 will be checked at time of building permit issuance.

Parking- A total of two parking spaces for each unit with one to four bedrooms is required. Each condominium unit must be under two bedrooms since a two-car garage will be built for each unit.

Compliance of Unit 2 with applicable East Pasadena-San Gabriel CSD standards and regulations will be reviewed at time of building permit issuance.

ENVIRONMENTAL DOCUMENTATION

On March 21, 2006, the staff of the Department of Regional Planning completed its review of the Environmental Questionnaire and other data regarding the proposed development. A Class 15 Categorical Exemption has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act (CEQA). It was determined that this project meets the criteria set forth in Class 15 of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 15 of the County of Los Angeles Environmental Reporting Procedures and Guidelines (Appendix G Categorically Exempt Projects), as meets the exemptions provided in CEQA.

COUNTY DEPARTMENTS AND AGENCY COMMENTS AND RECOMMENDATIONS

The Los Angeles County Subdivision Committee consists of the Departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. The Subdivision Committee has reviewed the Vesting Tentative Parcel Map and Exhibit Map dated July 11, 2007, and recommends approval of the project with the attached conditions.

County Sanitation Districts of Los Angeles County provided written correspondence on May 15, 2008 regarding conveyance of wastewater to the local sewer line within District No. 15.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

On April 30, 2008, hearing notices regarding this proposal were mailed to all property owners as identified on the current Assessor's record within 1,000 feet of the subject property for a total of 364 notices.

The public hearing notice was published in San Gabriel Valley Tribune on May 1, 2008 and in the La Opinion Newspaper on May 2, 2008. Project materials, including a Tentative Parcel Map, an Exhibit Map, Land Use Map, County draft conditions of approval and environmental documentation were received at the Temple City Library on May 1, 2008. One hearing notice was posted on the subject property along Lemon Street on May 2, 2008. Public hearing materials were also posted on the Department of Regional Planning's website.

CORRESPONDENCE RECEIVED

Two letters of opposition have been received.

The first letter in opposition was received on May 19, 2008 and staff followed up with a phone call for clarification. The neighboring property owner expressed concerns with an increase in traffic, current congested conditions due to nearby elementary school going through a

construction project, the potential problem an emergency evacuation of the school can cause on the already congested street, and current crowded parking situation on Lemon Street.

The second letter of opposition was received on May 20, 2008 and expressed concerns regarding an increase in parking from the project, impact on street parking, overcrowding of street parking and potential hindering on police and ambulance vehicles, safety of children being dropped off or picked up at the nearby elementary school, devaluation of nearby homes, potential of unreliable tenants leasing the condominiums and a high tenant turnover.

STAFF EVALUATION

The proposed development is consistent with all applicable provisions of Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) of the County Code including provisions in the East Pasadena-San Gabriel CSD, except as requested through the CSD Modification. The proposed density is consistent with the existing current land use of the General Plan and Zone; and is surrounded by compatible uses to the north, east, west and south of the subject property.

The property has access to a County-maintained street and will have an 18 foot driveway and firelane within the lot. All required public services and necessary infrastructure can be provided for the proposed subdivision.

Grading will consist of 10 cubic yards of cut and 48 cubic yards of fill, for a total of 58 cubic yards of earthwork. A total of 38 cubic yards of earthwork will be brought onto the site and will not require approval of a conditional use permit.

Prior to the purchase of the property by the current owners, a structure was constructed and demolished at the rear of the property. The structure has been depicted on the Vesting Tentative Map and Exhibit Map as a "garage to be removed". Building permits have proven that the condominium conversion (Unit 1) was built as a single-family residence with no parking in the year of 1951. Parking requirements for single-family residences within the R-1 zone were not established until Ordinance No. 7349, effective July 27, 1958, which required only one covered parking space. Therefore, covered parking spaces are required for the existing use. The condominium conversion and new condominium unit will be required to provide a minimum of two covered spaces and will provide in addition, to the required parking spaces, one open guest parking space between Unit 1 and Unit 1.

Findings for the CSD Modification have been met. The condominium conversion was built in 1951 with a north side yard setback of six inches. As mentioned above, the East Pasadena-San Gabriel CSD came into effect on August 23, 2002 and now requires a setback six inches narrower than the house was constructed with. Subsequent additions are shown to comply and will be checked at time of building permit issuance to comply with the East Pasadena-San Gabriel CSD standards.

**TENTATIVE PARCEL MAP NO. 065940
CSD MODIFICATION CASE NO. 2008-00001-0(5)
Staff Analysis**

Page 7 of 7

The required five foot highway dedication at the front of the lot will not reduce the required front yard setback as mentioned above per the East Pasadena-San Gabriel CSD.

- a) The existing single-family residence was built in 1947 with a north side yard setback of six inches;
- b) The East Pasadena-San Gabriel CSD came into effect August 23, 2002 after the construction of the single-family residence and existing five-and-a half (5 ½) foot side yard; and
- c) Subsequent additions will comply with the six foot side yard setback as required by the East Pasadena-San Gabriel CSD.

Since the lot is multifamily residential, one tree has been required on the site. It is recommended to require additional trees for a total of 12 trees throughout the property.

STAFF RECOMMENDATION

If the Regional Planning Commission agrees with staff's analysis above, staff recommends that the public hearing be closed and Vesting Tentative Parcel Map No.065940 and CSD Modification Case No. 2008-00001-(5) be approved with the attached conditions.

Suggested Motion: "I move that the Regional Planning Commission close the public hearing."

Suggested Motion: "I move that the Regional Planning Commission approve Vesting Tentative Map No. 5.1159 and CSD Modification Case No. 2008-00001-(5)."

Attachments:

Factual
Thomas Brothers Guide Map Page
GIS-NET Map
Draft Findings and Conditions
Burden of Proof Statement
Burden of Proof Photo Exhibit
Categorical Exemption
Photographs
Correspondence
Land Use Map
Vesting Tentative PARCEL Map No.065940 and Exhibit Map dated July 11, 2007

SMT:ACB

5/20/08

**FINDINGS OF THE COMMISSION
COUNTY OF LOS ANGELES
CSD MODIFICATION CASE NO. 2008-00001-(5)**

1. The Los Angeles County Regional Planning Commission ("Commission") has conducted a public hearing on the matter of CSD Modification Case No. 2008-00001-(5) on June 4, 2007. CSD Modification Case No. 2008-00001-(5) was heard concurrently with Vesting Tentative Parcel Map No. 065940.
2. The applicant, David K. Phung, requests a modification to modify the East Pasadena-San Gabriel Community Standards District ("CSD") to allow the condominium conversion Unit No. 1 to continue an existing six inch encroachment of six inches into the required side yard setback.
3. Tentative Vesting Parcel Map No. 065940-(5) is a related request to create one multi-family lot with one condominium conversion (Unit No. 1) and new additional detached condominium (Unit No. 2) for a total of two condominium units on 0.34 gross acres (0.23 net acres).
4. The project site is located at 6361 Lemon Avenue, in the East Pasadena-San Gabriel CSD, within the East San Gabriel Zoned District of Los Angeles County.
5. The rectangularly shaped property is 0.34 gross acres (0.23 net acres) in size with level topography. The site currently has one single-family dwelling to be converted into a detached condominium unit (Unit No. 1).
6. The project site is zoned R-1 (Single Family Residence-5,000 Square Feet Minimum Required Lot Area). Surrounding zoning to the north, east, south and west is R-1.
7. The land uses to the north, east, south, and west of the subject project are single family residences.
8. The subject project is within the Category 1 (Low Density Residential-One to Six Dwelling Units Per Gross Acre) Land Use Category of the Los Angeles Countywide General Plan ("General Plan"). The General Plan permits a maximum of two dwelling units on this property. The applicant is proposing two dwelling units.
9. The subject property is located within the boundaries of the East Pasadena-East San Gabriel CSD, effective August 23, 2002. The proposed development is subject to all applicable provisions in the CSD.
10. As of writing, no comments were received from the public in opposition or support of the project.
11. During the June 4, 2008 public hearing, the Commission heard from a staff presentation and oral testimony regarding the proposed development.
12. After hearing all testimony on June 4, 2007 the Commission closed the public hearing and approved CSD Modification Case No. 2008-00001-(5).

13. Upon review of the CSD modification request and the applicant's burden of proof, it was determined:
 - a) The existing single-family residence was built in 1947 with a north side yard setback of six inches;
 - b) The East Pasadena-San Gabriel CSD came into effect August 23, 2002 after the construction of the single-family residence and existing five-and-a half (5 ½) foot side yard; and
 - c) Subsequent additions will comply with the six foot side yard setback as required by the East Pasadena-San Gabriel CSD
14. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified that the project will not have a significant effect on the environment. Based on the Initial Study, a Categorical Exemption under Class 15 has been prepared for this project.
15. The Commission finds that the project does not have "no effect" on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the Fish and Game Code.
16. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. That the use, development of land and application of development standards is in compliance with all applicable provisions of Title 22;
- B. That the use, development of land an application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice;
- C. That the use, development of land and application of development standards is suitable from the standpoint of functional developmental design.
- D. The Commission considered the unique characteristics of the neighborhood in which the site is located.

THEREFORE, in view of the findings of fact and conclusions presented above, CSD Modification Case No. 2008-00001-(5) is approved subject to the attached conditions established by the Commission.

**DEPARTMENT OF REGIONAL PLANNING
CSD MODIFICATION CASE NO. 2008-00001-(5)**

DRAFT CONDITIONS:

1. Conform to the requirements of Title 21 of the Los Angeles County Code ("County Code"), the requirements of the R-1 (Single-Family Residence) zone, as well as Vesting Tentative Parcel Map No. 065940. Also, conform to the requirements of the East Pasadena-San Gabriel Community Standards District ("CSD") except as otherwise modified herein.
2. Permission is granted to encroach six inches into the north side yard setback of the Unit No. 1, as modified herein as depicted on the Exhibit Map dated July 11, 2007.
3. The permittee shall defend, indemnify and hold harmless Los Angeles County (the "County"), its agents, officers, and employees from any claim, in action or proceeding against the County, or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which in action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any such claim, action, or proceeding and the County shall reasonably cooperate in the defense.
4. In the event that any claim, action or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purposes of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee, or the permittee's counsel. The permittee shall pay the following supplemental deposits, from which actual cost shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the deposit amount, the permittee shall deposit additional funds to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to the completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of the initial or supplemental deposit may exceed the minimum amounts defined herein.

The costs for collection and duplication of records and other related documents will be paid by the permittee according to the County Code, Section 2.170.010.

**FINDINGS OF THE COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE PARCEL MAP NO. 065940**

1. The Los Angeles County of Regional Planning Commission ("Planning Commission") has conducted a public hearing on the matter of Vesting Tentative Parcel Map No. 069540-(5) on June 4, 2008. Vesting Tentative Parcel Map No. 065940-(5) was heard concurrently with CSD Modification Case No. 2008-00001-(5).
2. Vesting Tentative Parcel Map No. 065940 is a request to create one multi-family lot with one condominium conversion (Unit No. 1) and one new detached condominium (Unit No. 2) for a total of two condominium unit, on 0.34 gross acres (0.23 net acres).
3. CSD Modification Case No. 2008-00001-(5) is a related request to modify the East Pasadena-San Gabriel Community Standards District ("CSD") to allow the condominium conversion Unit No. 1 to continue an existing encroachment of six inches into the required north side yard setback.
4. The project site is located at 6361 Lemon Avenue, in the East Pasadena-San Gabriel CSD, within the East San Gabriel Zoned District of Los Angeles County.
5. The rectangularly shaped property is 0.34 gross acres (0.23 net acres) in size with level topography. The site currently has one single-family dwelling to be converted into a detached condominium unit (Unit No. 1).
6. Access is provided by Lemon Avenue, a 60 foot wide street, onto an 18 foot private driveway and firelane.
7. The project proposes an estimated total of 58 cubic yards of grading composed of 10 cubic yards of cut and 48 cubic yards of fill.
8. The project site is zoned R-1 (Single Family Residence-5,000 Square Feet Minimum Required Lot Area). Surrounding zoning to the north, east, south and west is R-1 as well.
9. The land uses to the north, east, south, and west of the subject project are single family residences.
10. The proposed project is consistent with the R-1 zone classification as detached residences are permitted by Section 22.20.070 of the Los Angeles County Code ("County Code").
11. The subject project is within the Category 1 (Low Density Residential-One to Six Dwelling Units Per Gross Acre) Land Use Category of the Los Angeles Countywide General Plan ("General Plan"). The General Plan permits a maximum of two dwelling units on this property. The applicant is proposing two dwelling units. However, pursuant to Section 66427.2 of the Subdivision Map Act ("Map Act"), the proposed condominium conversion is exempt from land use policies set forth in the General Plan.

12. The subject property is located within the boundaries of the East Pasadena-East San Gabriel CSD, effective August 23, 2002. The proposed development is subject to all applicable provisions in the CSD.
13. Unit 1 is consistent with applicable provisions in the CSD, including provision regarding required setbacks (except as modified through CSD Modification Case No. 2008-00001-(5)), height, landscaping, maximum stories, maximum floor area and lot coverage, and parking in the following ways:
 - a) Setbacks- A six foot side yard setback (except as requested through the CSD modification for the existing portion on the north side) and the average front yard depth of front yards on the same side of the street on the same block, which is 23.82 feet and 25 feet are provided.
 - b) Height and Maximum Stories- One story at 13.5 feet in height.
 - c) Landscaping- A total of 70 percent softscape within front yard.
 - d) Maximum Floor Area and Lot Coverage- Total of 3,504.7 square feet (35 percent) floor area and lot coverage for entire lot. Unit 1 will be a total of 1,836.5 square feet.
 - e) Parking- Will have a two-car garage.
14. Unit 2 is consistent with applicable provisions in the CSD, including provision regarding required setbacks height, landscaping, maximum stories, maximum floor area and lot coverage, and parking.
15. Correspondence was received from County Sanitation Districts of Los Angeles County regarding a connection and charge fee for the conveyance of wastewater to the local sewer line within District No. 15.
16. As of writing, no comments were received from the public in opposition or support of the project.
17. The Commission finds the proposed project and the provisions for its design and improvement consistent with the goals and policies of the General Plan. The project increases the supply and diversity of housing and promotes the efficient use of land through a more concentrated pattern of urban development.
18. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein. The division and development of the property in the manner set forth on this tentative parcel map and exhibit map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within these maps, since the design and development as set forth in

the conditions of approval and shown on the maps provide adequate protection for any such easement.

19. During the June 4, 2008 public hearing, the Commission heard from a staff presentation and oral testimony regarding the proposed development.
20. On June 4, 2008 after hearing all testimony, the Commission closed the public hearing and approved Vesting Tentative Parcel Map No. 065940.
21. The site is physically suitable for the density and type of development proposed, since the property is relatively level, has access to a County-maintained street; will be served by public sewers; will be provided with a water supply and distribution facilities to meet anticipated domestic and fire protection needs; and will have flood hazards and geological hazards mitigated in accordance with the requirements of Los Angeles County Department of Public Works.
22. The design of the subdivision and the type of improvements proposed will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the conditions of approval.
23. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the tentative map provide adequate protection for any such easements.
24. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
25. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Resources Code.
26. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
27. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified that the project will not have a significant effect on the environment. Based on the Initial Study, a Categorical Exemption under Class 15 has been prepared for this project.
28. This parcel map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.101 through 21.38.080 of the County Code.

29. The Commission finds that the project does not have "no effect" on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the Fish and Game Code
30. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. Each tenant has received written notification of intention to convert at least 60 days prior to filling the tentative map;
- B. Each tenant will receive 10 days written notification prior to recordation that an application for a public report will be, or has been, submitted to the Department of Real Estate, and the such report will be available on request;
- C. Each tenant of the proposed condominium and each person applying for the rental of a unit has, or will have received all applicable notices and rights now, or hereafter as required by the government cod;
- D. Each tenant will be given written notification within 10 days of approval of the final map for the proposed conversion;
- E. Each of the tenants will be given 180 days written notice of intention to convert, prior to termination of tenancy due to the proposed conversion; and
- F. Each of the tenants of the proposed condominiums will be given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Profession Code, unless the tenant gives prior notice of his or her intention not to exercise the right.

THEREFORE, in view of the findings of fact and conclusions presented above, Vesting Tentative Parcel Map No. 065940 is approved subject to the attached conditions recommended by the Los Angeles County Subdivision Committee.

LOS ANGELES COUNTY LETTERGRAM

TO	Land Division	FROM	Hsiao-ching Chen ^{HC} Land Development Coordinating Center
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SUBJECT: PM065940

Date: March 21, 2006

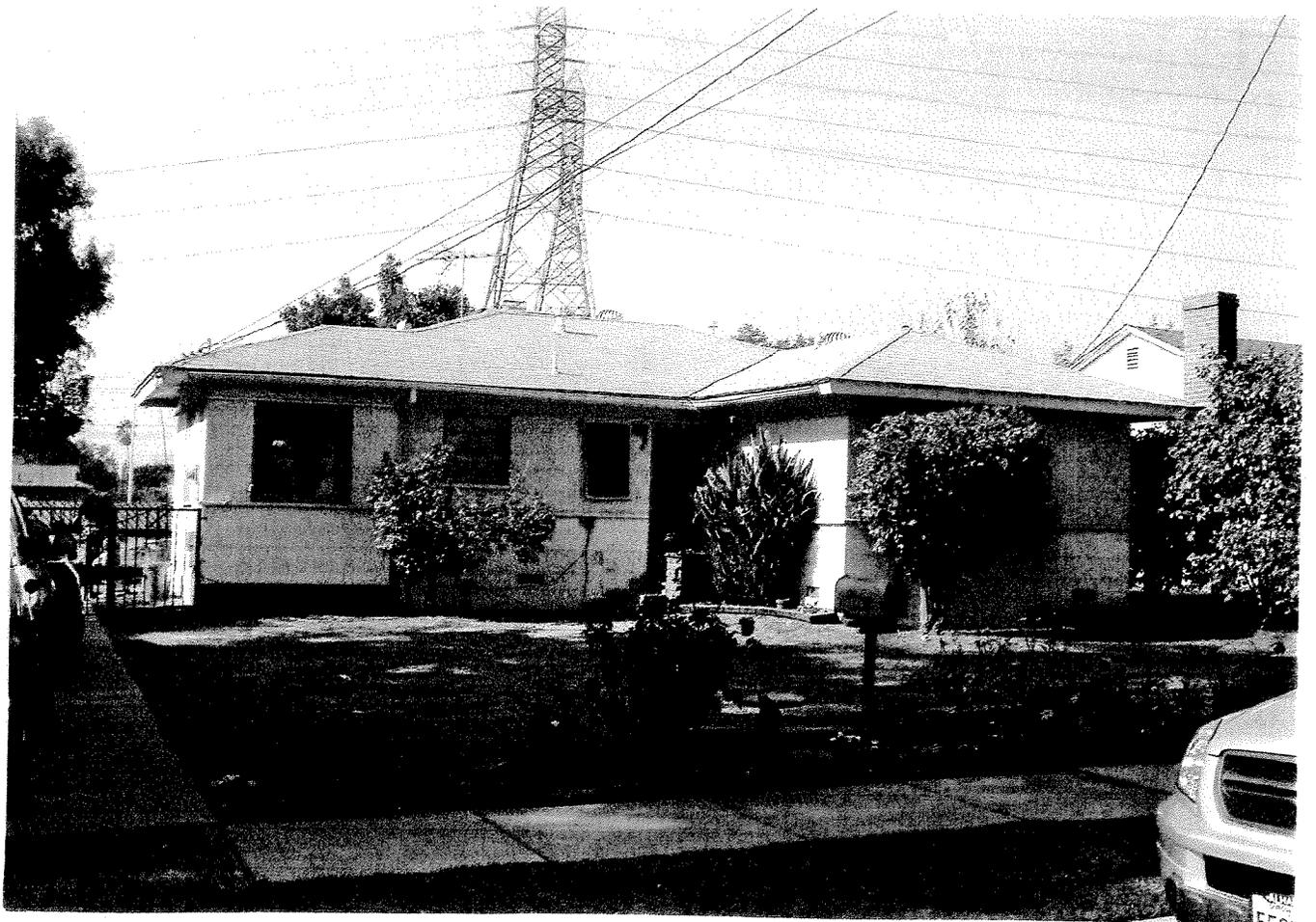
This is an application to subdivide the subject property into two condominium units. The site currently has one residential unit. As such, this project qualifies for Class 15 Categorical Exemption – Minor Land Division

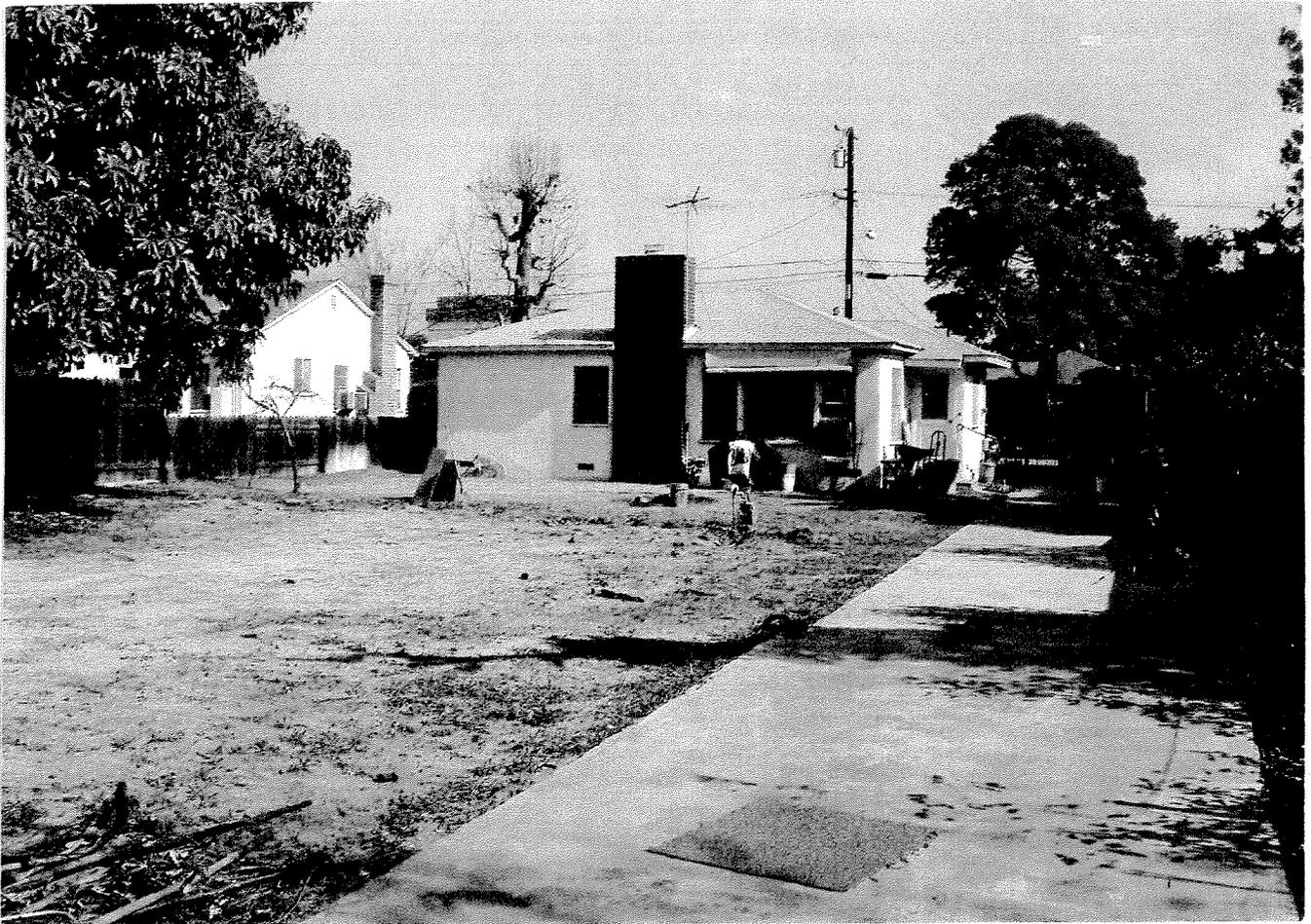
The staff recommends a Categorical Exemption since it meets the criteria set forth in Class 15 of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 15 of the County of Los Angeles Environmental Document Reporting Procedures and Guidelines (Appendix G, Categorically Exempt Projects).

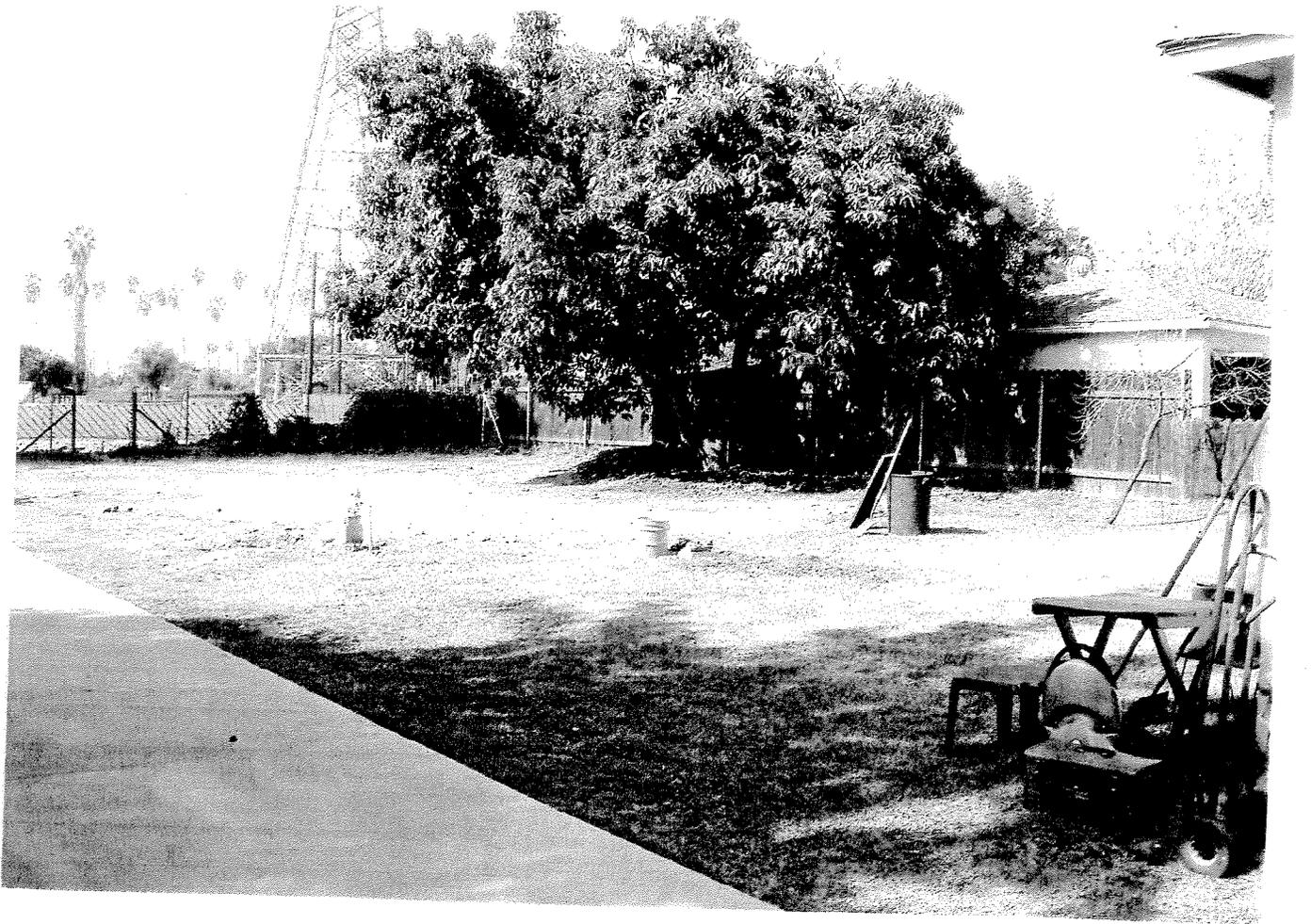
If you have any questions regarding the above determination or environmental document preparation, please contact Hsiao-ching Chen of the Land Development Coordinating Center at 4-6470.

NOTICE TO LEAD SECTION: A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.

COMMENTS:









COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

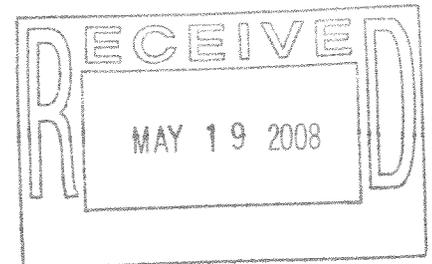
1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

May 15, 2008

File No: 15-00.00-00

Ms. Alejandrina C. Baldwin
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012



Dear Ms. Baldwin:

**Vesting Tentative Parcel Map No. 065940,
CSD Modification Case No. 2008-00001-(5)**

This is in reply to your notice, which was received by the County Sanitation Districts of Los Angeles County (Districts) on May 2, 2008. The proposed development is located within the jurisdictional boundaries of District No. 15. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Joint Outfall B Unit 5A Trunk Sewer, located in Encinita Avenue at Longden Avenue. This 24-inch diameter trunk sewer has a design capacity of 10.3 million gallons per day (mgd) and conveyed a peak flow of 8.5 mgd when last measured in 2008.
2. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a design capacity of 100 mgd and currently processes an average flow of 81.7 mgd, or the Whittier Narrows WRP located near the City of South El Monte, which has a design capacity of 15 mgd and currently processes an average flow of 7.4 mgd.
3. The expected increase in average wastewater flow from the project site is 260 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Information Center, Will Serve Program, Obtain Will Serve Letter, and click on the appropriate link on page 2.
4. The Districts are authorized by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System or increasing the strength or quantity of wastewater attributable to a particular parcel or operation already connected. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is

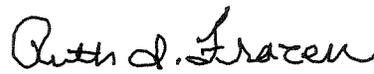
issued. For a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Information Center, Will Serve Program, Obtain Will Serve Letter, and click on the appropriate link on page 2. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at extension 2727.

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the design capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

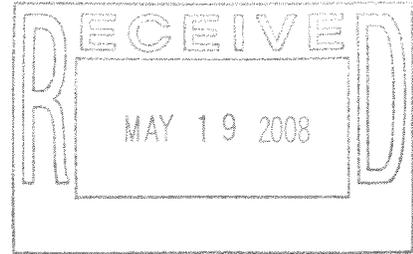
Stephen R. Maguin



Ruth I. Frazen
Customer Service Specialist
Facilities Planning Department

RIF:rf

6409 Lemon Avenue
San Gabriel, CA 91775
May 15, 2008



Alejandrina C. Baldwin
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Re: Vesting Tentative Parcel Map No. 065940
CSD Modification Case No. 2008-00001-(5)

Dear Ms. Alejandrina C. Baldwin:

My name is Calvin Quach. I currently reside on 6409 Lemon Avenue, a house located behind Emperor Elementary School. I have been living in this house for over ten years. My family and I love the atmosphere because it is a quiet, friendly, and respectful neighborhood.

Last week we received a letter about a "Notice of Public Hearing, Proposed Land Division". The letter states that there is a new housing lot with Condo-Conservation and a detached condominium to be constructed.

We would like to address certain key concerns if this proposal were to be given consent:

- ☞ There will be a significant increase of traffic because many students will be dropped off and picked up each school day. Emperor Elementary School also has its own construction project rebuilding the classrooms that were burnt down due to an arson fire.
- ☞ The fact that our street is very narrow will be a major problem if there were to be emergency evacuations from the elementary school. Big trucks go in and out of the school daily and have proven difficult with the narrow street.

Safety is an immense concern of our neighborhood. Accepting this proposal will lead to negative change in this wonderful neighborhood. We have been given the chance to address this problem, to elucidate that we do not encourage or accept this proposal.

Thank you for your time and consideration to this important issue.
Please feel free to contact me at (626)-675-5622.

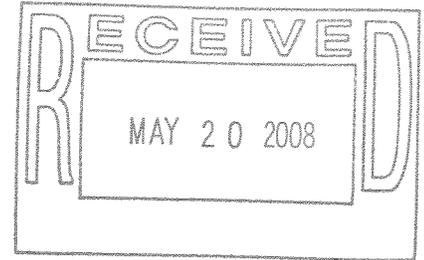
Sincerely,

A handwritten signature in cursive script, appearing to read "Calvin Quach". The signature is written in black ink and is positioned above the printed name.

Kalvin Quach

May 19, 2008

Ms. Alejandrina C. Baldwin
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012



Re: Vesting Tentative Parcel Map No. 065940
CSD Modification Case No. 2008-00001-(5)

Ms. Alejandrina C. Baldwin:

My name is Erickson Yee and my wife's name is Esmeralda Yee. Last year, we purchased a house next to the property involved. We selected the house for numerous reasons and because it was located in a quiet neighborhood with a family atmosphere. When we moved in, we even received a warm welcome from all of our neighbors.

What is very disturbing and concerns us, is the proposed build out at 6361 Lemon Avenue. We received the letter for the "Notice of Public Hearing, Proposed Land Division". In the letter, it states that there is a tentative parcel map to create a one multi-family residential lot with on Condo-Conversion and on new detached condominium.

We would like to bring some attention to a few of our major concerns:

- Our existing neighborhood families currently possess 2-3 vehicles on our street. Should this proposal be accepted, there will be a significant increase in the number of residents which will escalate parking and traffic especially due to the fact that our road is so narrow.
- Such an increase directly impacts our safety since the overcrowding of vehicles on our street may hinder fire, police and ambulance vehicles should there be an emergency that needs immediate attention.
- The property is located directly behind the back entrance of an elementary school where each morning and afternoon, young children are dropped off and picked up for school. Their safety is a major concern of ours.

It appears the owners of property 6361 Lemon Avenue purchased the estate to maximize their investments with very little concern to the neighborhood in which they do not reside. With this said,

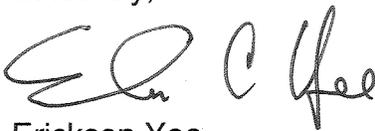
- If condominiums are built on Lemon Avenue, it will be the only ones on this street which will devalue the existing homes (including mine) in the surrounding area.

- If a proprietor is not located on site, there is a strong potential of leasing to unreliable tenants. Additionally, the family environment will be effected due to a potential high tenant turnover rate.
- We purchased this home because of the openness that it has in front and in the back. Building condominiums adjacent to our dwelling would give my family a claustrophobic feeling.

Understandably, my wife and I can not take a “do nothing” approach. We live in this neighborhood and we will directly feel the impact of the affects should this proposal move forward. The city has given us the opportunity to speak out and we need to stress that we are not supporting this proposal which inevitably will become a trend in the future.

I thank you for your time and attention to this serious matter. Should you like to discuss my highlighted points in further detail, please feel free to contact me at 626-487-3742.

Sincerely,

A handwritten signature in black ink, appearing to read "Erickson Yee". The signature is written in a cursive style with a large initial "E" and "Y".

Erickson Yee